

## **DUF6 Draft RFP Questions & Answers**

**Note: Potential offerors are cautioned that proposals should be based upon the requirements as set forth in the solicitation and not upon “anticipated” requirements as identified in these answers.**

**Question 109:**

Section B.3 Fee Determination and Payment: DOE should consider employing a production-based model for a portion of the fee determination (see the Idaho Advanced Mixed Waste Treatment Project for an example). An incentive fee component for each cylinder converted will incentivize the Contractor to efficiently and effectively complete the DOE mission, while an award fee component will reward excellence in ES&H, Quality, plant maintenance, and integration.

**Answer 109:**

The DOE initial priority for this contract is effective transition and safe start-up to achieve full operational capability. Once full conversion operations are achieved and demonstrated with some consistency, the DOE may consider production-based models which could be administered through the annual Award Fee process.

**Question 110:**

Section C.2.3.1 Does the incumbent contractor have contractual turnover requirements? Explain the current contractor's transition responsibilities.

**Answer 110:**

The incumbent contractor is expected to cooperate with the successor contractor and the DOE as a contractual requirement to ensure the vital mission of the DOE continues uninterrupted. During contract transition the most current documents, plans, procedures, drawings, records, and other information specific to DUF6 will transition. The incumbent contractor is also expected to cooperate with the successor contractor for transition of employees and overall transition planning and execution.

**Question 111:**

Section C.2.4.2.3: Why doesn't the DOE moratorium for volumetric release apply to the recovered HF?

**Answer 111:**

According to DOE Guide 441.1-xx, DOE has determined that the recovered HF can be released. The documentation is included as reference J-3-3 on the DUF6 website.

**Question 112:**

Section C.2.4.2.3: What release criteria and documentation will be required to be met for the sale of 55% HF Acid? DOE Order 5400.5?

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### **Answer 112:**

Reference J-3-3 on the DUF6 website documents the DOE approval for sale of the HF acid from the radiological perspective.

### **Question 113:**

Section C: Is the TRU waste to be encountered considered “defense waste”?

### **Answer 113:**

In the case where TRU is found, and the level of TRU contamination exceeds 100 nCi/g, the material would have to be managed in accordance with DOE Order 435.1. Please note that this does not automatically mean the cylinder is TRU (e.g., DOE Order 435.1 allows some flexibility for concentration averaging after addition of stabilizing material). It is expected that the DUF6 contractor will assist DOE with disposition of these wastes in accordance with C.4.9. In these cases, the Contractor would characterize the waste, determine the wastes' origin, prepare a waste disposition strategy, develop a waste profile as necessary, integrate with DOE, Federal and State authorities, as appropriate, and do all things necessary to package, transport and dispose of such waste in a safe and approved manner, following applicable regulations. For TRU waste, development and approval of a Defense Determination would be required for shipment and disposal at the Waste Isolation Pilot Plant.

### **Question 114:**

Section C: Is the new contractor to assume the current Collective Bargaining Agreements?

### **Answer 114:**

The requirements regarding Collective Bargaining Agreements and the existing workforce will be addressed in Section H clauses.

### **Question 115:**

Section C: What are the expectations for needed downtime for equipment/failure maintenance and/or replacement for the first five years of operations?

### **Answer 115:**

The equipment downtime and maintenance information is available in UDS Study DUF6-G-M-STU-006, Reliability, Availability and Maintainability Analysis, Rev 0, March 2004. This document is expected to be posted to the DUF6 website or FedBizOpps webpage as a reference document before final RFP release.

### **Question 116:**

One of the most critical scope items in the SOW is the successful startup and testing of the conversion process. This requires a detailed understanding, experience, and application of lessons learned associated with the operation of the dry conversion and HF conversion process/technologies. AREVA is the only company with significant industrial experience in the

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deployment of these technologies and AREVA's participation would benefit any bidder. Will the DOE either contract directly with AREVA to provide technology deployment services to the successful offeror or direct the successful offeror to contract with AREVA?

**Answer 116:**

The DOE does not expect to direct any specific teaming or subcontractor arrangements for this solicitation. The competition is open and potential offerors are invited to develop the teaming or subcontractor relationships they believe will provide the best value for the DOE.

**Question 117:**

What is the current DOE estimate for ROD approval?

**Answer 117:**

There is no current schedule for Record of Decision (ROD) approval.

**Question 118:**

Are the DOE approved facility operating procedures to be part of the turnover from the incumbent contractor?

**Answer 118:**

The DOE expects that approved procedures which will be provided to the DOE during the Operational Readiness Review process will be made available during the first ninety days of the contract transition.

**Question 119:**

Section L.20: Please provide instructions for offerors to apply and be approved for access to the secure FedBizOpps website and documents for this solicitation.

**Answer 119:**

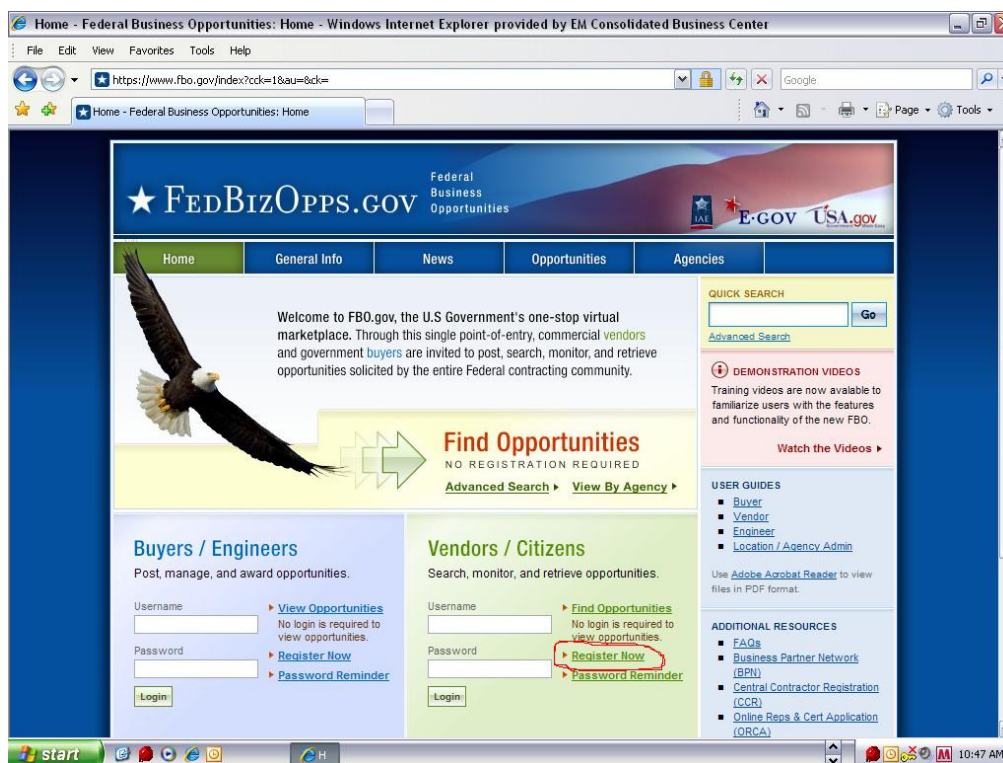
In order to gain access to the FedBizOpps website, offerors must apply and get registered for an account.

Go to the FBO webpage at:

[www.fbo.gov](http://www.fbo.gov)

Find the Vendor/Citizens area and select "Register Now"

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Then follow the instructions on the webpage to get registered. A tutorial of how to register can be found here:

<https://www.fbo.gov/demos/vendor-registration/>

\* If any vendor needs additional information or help, please contact the FedBizOpps Help Desk at the following address: [help@fbo.gov](mailto:help@fbo.gov). The Help Desk is open between 9am and 6pm Eastern Time (M-F).

### Question 120:

Please clarify the alignment between L.23(b)(1), C.3.1.2 (items 1-14), and M.4(a). Provision L.23(b)(1) paragraph 3 states “the OTSP shall describe the approach, plan and schedule for transitioning the cylinder surveillance and maintenance activity...” Draft RFP Section C.3 Conversion Operations Testing and Start-up does not specifically cite cylinder surveillance and maintenance. Given these are ongoing activities, should bidders assume that transition of operational responsibility for SOW C.6.2 Cylinder Surveillance and Maintenance may be accomplished during the 90 day Mobilization and Transition Phase of OTSP implementation (Assuming The Site Security Plan [D-14] and the Nuclear Materials Control and Accountability Plan [D-15] receives approval by the end of the Mobilization and Transition Phase)?

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### **Answer 120:**

The OTSP is expected to cover the transition of cylinder surveillance and maintenance. DOE will revise this language to clarify.

### **Question 121:**

Section L.23 (b)(3): Are Key Personnel oral presentation slides to be included in the Volume II submittal? If the answer is yes, are the slides—like the resumes/letters of commitment—excluded from the page count limit?

### **Answer 121:**

Oral presentation slides are expected to be used only as optional augmentation to the oral presentation. Any Oral presentation slides are to be included in the Volume II submittal and are excluded from the page count limit. DOE will consider revising this language to clarify.

### **Question 122:**

Section L: Does UDS retain the financial liability to close out ORR post-start findings?

### **Answer 122:**

Per Section C.3.2.1.2 the DOE expects the incumbent contractor will complete all "pre-start" findings. The DOE will clarify the language in the final RFP to also address "post-start" findings.

### **Question 123:**

Section L: Does UDS retain the financial liability for plant process design, detailed engineering, equipment specification, construction, operability and systems' fitness for purpose?

### **Answer 123:**

The aspects of "fitness for purpose" are expected to be identified through the ORR process and addressed through the pre-start and post-start findings. "Fitness for purpose" during the Transition and Startup Phase as described in Section C.3.2.2 will be the responsibility of the new Contractor, unless otherwise modified by the Contracting Officer.

### **Question 124:**

Section L: Will determination of proposal strengths and weaknesses be the sole Volume II evaluation methodology?

### **Answer 124:**

The DOE will make a best value determination to make its selection. The manner by which the DOE reaches its determination is Source Selection Information, with the exception of the relative importance of evaluation criteria provided in Section M.

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### **Question 125:**

Section L: Will strengths and weaknesses be evaluated on an absolute basis or on a relative basis among bidders?"

### **Answer 125:**

Evaluation is done in relation to the requirements of the solicitation.

### **Question 126:**

Section L: According to Section M.1.(f), DOE will only evaluate information relative to corporate experience and past performance for those Offerors that have defined business arrangements or relationships for this solicitation. Therefore, if a newly-formed LLC or joint venture only has a draft agreement in place (allowed by Section L), then per Section M seems to mean that the SEB will not evaluate the past performance and experience provided for these companies. DOE may want to consider requiring final teaming agreements instead of draft agreements in L.22 (e) to avoid this inconsistency.

### **Answer 126:**

DOE's intent is to evaluate corporate experience and past performance on any offerors, irrespective of teaming arrangement or LLC or subcontractor, if greater than \$10M value. DOE will consider revising Section M to clarify.

### **Question 127:**

Section L: In Section L.23 (b) (3), the draft RFP states that there will be two Oral Presentation sessions for each Offeror, one in the morning and one in the afternoon and that in each session the Offeror will have 30 minutes to introduce its Key Personnel. It seems that this will result in at least five Key Personnel (representing the overall project office) being introduced twice with the only difference between the two sessions being the Portsmouth or Paducah specific Plant Manager, and Operations and Maintenance Manager. DOE may want to consider changing the format so that the overall five Key Personnel only need to be introduced once.

### **Answer 127:**

DOE will consider the suggestion to modify the approach and time allowed for the oral presentations.

### **Question 128:**

Section L: In Section L.23. (b) (4) requires the Offeror to submit 3 contracts or projects of similar size, scope and complexity currently being performed or performed within the last three years. The next paragraph requires that for each teaming partner or subcontractor to provide one project meeting these criteria. It is not clear how the first requirement differs from the second and it is not clear how many contracts or projects DOE is seeking from an Offeror, especially for an LLC which may have multiple partners. In the past, DOE asks for up to 3 contracts for each teaming partner and major subcontractor. Would DOE please clarify its intent?

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### **Answer 128:**

Section L.23 will be rewritten to clarify this issue.

### **Question 129:**

The Draft Request for Proposal, RFP DE-RP30-08CC40015; Section L.15 states "This acquisition is unrestricted and contains no set-aside provisions. The NAICS code for this solicitation is 561210." This NAICS code is for Facilities Support Services. Based on information provided by the U.S. Small Business Administration (SBA), the 561210 NAICS code includes "establishments which typically provide a combination of services, such as janitorial, maintenance, trash disposal, guard and security, mail routing, reception, laundry and related services to support operations within facilities. These establishments provide operating staff to carry out these support activities; but are not involved with or responsible for the core business or activities of the client."

Section C.1 of the Draft RFP defines the Objective as "The Contractor shall operate depleted uranium hexafluoride (DUF6) conversion facilities on DOE property at Paducah, Kentucky and Portsmouth, Ohio (Conversion Facility or Facilities) in accordance with this Statement of Work and contract terms and conditions. A related objective is to provide continuing cylinder surveillance and maintenance (S&M) services for the DOE inventory of DUF6, low-enrichment uranium (LEU) hexafluoride (UF6), normal UF6, and empty and heel cylinders in a safe and environmentally acceptable manner."

The SBA defines NAICS code 562910 as Waste Management and Environmental Remediation Services. This NAICS code is representative of the core mission and objectives of the DUF6 Project as defined in Section C.1 of the Draft RFP. Will the DOE consider revising the NAICS Code in the Final RFP?

### **Answer 129:**

The primary purpose of this requirement is for the conversion of DUF6 to a more stable form. Waste disposition and other activities are secondary. NAICS code 562910 is for remediation services, which includes waste disposition. Since NAICS code 562910 does not include conversion, it does not fit the primary purpose of this requirement.

It has been determined that NAICS code 561210 aligns better than any other NAICS code. DOE is the owner of the DUF6 facilities at both Portsmouth and Paducah. The successful contractor will be supporting DOE in operating these facilities.

### **Question 130:**

L.23 (b)(3) The Oral Presentation Process (page L-26) indicates that each Offeror will present in two separate sessions (morning and afternoon). As each Offeror will consist of a "core team" of five key personnel who will be present at both sessions, and two additional site specific positions, the latter which will only attend either the morning or the afternoon session, would the Government consider instead holding only one Orals session for each Offeror, but

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including in this session two sample problems? This is because Orals has become an important part of the acquisition process, and so Offerors now spend a significant amount of time preparing for Orals. Preparing for two separate sessions would be more time consuming than preparing for one.

### **Answer 130:**

DOE will consider the suggestion to modify the approach and time allowed for the oral presentations. However, the DOE wants to ensure the opportunity to evaluate key participants for both the Paducah and Portsmouth facilities.

### **Question 131:**

L.23 (4) PAST PERFORMANCE: “Scope is defined as the type of work (e.g., combined nuclear and chemical operations).” Does DOE consider the given example, especially the word “combined”, to be a past performance requirement? If so, there is only a small handful of sites in the U.S. that meet this requirement and DOE may be severely limiting competition.

### **Answer 131:**

Combined nuclear and chemical experience is considered necessary given the nature of the DUF6 operation and the importance the DOE places on safe operations.

### **Question 132:**

The incumbent contractor has access to and ownership of the conversion technology. How will DOE insure that conversion technology is equally available to all bidders?

### **Answer 132:**

Conversion technology is installed and will be provided as Government-furnished. Design and construction drawings, as well as testing data and other information from the Operational Readiness Review are expected to be provided during the Mobilization and Transition Phase.

### **Question 133:**

If procurement schedule is not met, will the incumbent proceed with the RA, start-up operations and initial conversion activities?

### **Answer 133:**

The incumbent contract includes Operational Readiness Review, hot functional testing, start-up, initial conversion activities, and full conversion activities. The DOE expects the incumbent to continue to meet the terms of their contract, unless and until modified, to the point of contract end. The current schedule for the incumbent contractor and the solicitation indicate contract award and start of transition activities at the point of Operational Readiness Review (ORR) completion.



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### **Question 134:**

Who is responsible for design or construction flaws discovered during ops? Is there a warranty period?

### **Answer 134:**

It is expected that no major design or construction flaws will exist. However, if after contract award, minor or major flaws are discovered, the Contracting Officer may direct the successful contractor to resolve them under the terms and conditions of the new contract.

### **Question 135:**

Does DOE have plans to accept new material, DUF6 or other, and process such material at Portsmouth or Paducah? Will Portsmouth and/or Paducah be used for processing commercial enrichment plant waste material?

### **Answer 135:**

The DOE has no current arrangements to receive or accept new DUF6 material at Portsmouth or Paducah. The conversion facilities are not expected to convert any material other than DUF6. Regarding DUF6 resulting from commercial enrichment plant operations, DRFP Section C.2.3.2 states, in part, "during the term of this contract the Paducah and/or Portsmouth Conversion Facilities may additionally receive, store, and process cylinders filled as a result of on-going or new Uranium enrichment processes".

### **Question 136:**

DOE currently has a contract that includes an option for operation of the DUF6 facilities. What assurance will DOE provide that it will not exercise that option.

### **Answer 136:**

Operation of the DUF6 is already a part of the current DUF6 contract; it is not an option. Current schedules indicate that the new contract award will be made to coincide with completion of the Operational Readiness Review (ORR) for the Portsmouth facility and the RFP is written to reflect that expectation. However, if circumstances change in either the solicitation schedule or current contract schedule it is possible the incumbent could continue past the ORR.

### **Question 137:**

Will the leases for the hydrogen generation and nitrogen generation be made available?

### **Answer 137:**

The hydrogen generation equipment is owned by DOE and will be provided. The nitrogen lease will be assigned to the successful offeror.

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### **Question 138:**

Since WCS now has a license to dispose of LLRW, will they be named as an allowed disposal facility?

### **Answer 138:**

The draft RFP will be revised to remove specific references to disposal sites. Instead there will be more general references, e.g., "Federal disposal site(s)" and "commercial disposal site(s)" that "...are properly licensed and permitted and that meet Federal, State and local regulations."

### **Question 139:**

I attended the conference and tour of the DUF6 facility on Jan 14th. Is there a list of the Email addresses of the attendees available? I want to make contact reference teaming.

### **Answer 139:**

Recently, DOE asked consent from the conference attendees in order to release this information. A list of contact information from the attendees that consented to share this information can be found DUF6 website.